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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,268	09/19/2003	Steven J. Fiore	D/A3196	6042

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EXAMINER

GLEITZ, RYAN M

ART UNIT PAPER NUMBER

2852

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,268

Applicant(s)

FIORE ET AL.

Examiner

Ryan Gleitz

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 14, 15, 17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 14, 15, 17 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5-7, 14, 15, 17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 6,185,394).

Lee discloses a method for extending the lifetime of a photoreceptor belt (10), wherein the device shown in figure 5, which reads on a spring-loaded mechanism, supplies a force to a tensioning member (40) that tensions the belt when in its operational position in a printing device.

The tension is reduced by substantially completely removing the force supplied by the spring-loaded mechanism from the tensioning member when the printing device enters an idle state. See col. 5, lines 52-65.

Regarding claim 3, the tension in the belt is reduced automatically. Col. 6, lines 59-62.

Regarding claims 5 and 19, the tension of the belt is reduced caused by the tensioning member (40) is completely removed, however some tension must remain, for example the tension cause by gravity and the belt rollers. This reads a reduced tension that is greater than zero but less than full operating tension.

Regarding claim 6, the reduced tension is sufficient to prevent the surface of the belt from contacting other components. Col. 5, lines 46-51.

Regarding claim 7, the tension is increased to an operational tension when the printing device enters an operational state. Col. 5, lines 19-20.

Regarding claim 14, a frame (420) is connected to the apparatus, rotary plate (450) in figure 5 or the cam visible in figure 1 reads on a cam connected to the frame, first lever arm (431) pivotally connected to the frame by pin (421a), wherein the biasing means includes a first spring-loaded mechanism and a first sleeve (410), such that the cam causes the first lever arm to pivot about the pivot point such that the second end of the first lever arm engages the first sleeve of the biasing means such that the force from the first spring-loaded mechanism is no longer transmitted to the tensioning member (40). Auxiliary frame reads on a sleeve.

Regarding claim 15, the belt is a photoreceptor belt.

Regarding claim 17, a second-spring loaded mechanism, a second lever arm, and a second sleeve is shown on the other side of the device in figure 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US 6,185,394) in view of Rosati (US 4,416,532).

Lee discloses the method and apparatus above, but does disclose that the photoreceptor can be de-tensioned manually.

However, Rosati discloses a similar tensioning member for a photoconductor belt including a lever member (86) that is tensioned manually. Col. 6, lines 52-65.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Lee with the step of manually adjusting the tension as taught by Rosati to provide an simpler construction that give easier access to the belt. Col. 2, lines 46-57.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US 6,185,394) in view of Yu et al. (US 6,101,353).

Lee discloses the method and apparatus above, but does disclose determining that the printing device is in an idle state a fixed period of time after the last job has printed.

However, Yu et al. discloses a similar tensioning device and method, including a final step of detensioning the belt once the requirement for copies has been complete by rotating the belt counter clockwise via a stepper motor and a clock putting and then putting the machine into a power save mode. See col. 6, lines 38-48; col. 5, lines 45-54.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Lee with the step of determining an idle state so that detensioning may commence at times when the apparatus is not in use. See abstract.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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